IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3801 OF 2007

Pradeep J. Parab. ..Petitioner.
Vs.
The State of Maharashtra and anr.
..Respondents.

Ms. Ashwini Hosing holding for A.V.Chatuphale for the Petitioner.

Mrs. M.P.Thakur, AGP. for the State.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : June 14, 2007

P.C.

1. The petitioner was dismissed from the service on 10.9.1996. The petitioner had challenged the said order by filing Writ Petition No.2478 of 1996. However, the said writ petition was withdrawn, since at that time, the criminal prosecution was pending. After acquittal in criminal prosecution, the petitioner filed an administrative appeal on 17.1.2005. The said appeal was rejected on the ground that there is inordinate delay and it is beyond limitation. As against the said order, review application was filed. Review application was also rejected. We also find that there was delay of 9-years in filing the administrative appeal. Mere pendency of criminal prosecution is not a good ground for causing delay in challenging the administrative order. We find that the decision taken by the

Administrative Judge is just and proper. Petition is hopelessly time barred. Hence, we refrain to entertain the petition. Petition is, therefore, rejected.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**